

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-56 are pending in the application, with 1, 4, 13, 19, 26, 36, 45, and 49 being the independent claims. Previously presented amendments to the specification and claims are sought to be represented in a format that complies with the requirements of 37 C.F.R. § 1.173. These represented amendments are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Objection Under 37 C.F.R. § 1.173***

In the Office Action, the Examiner objected to previously submitted amendments to the specification and claims for failing to comply with the requirements set forth in 37 C.F.R. § 1.173. In particular, the Examiner noted (1) that amendments are to be made using bracketing and underlining, (2) that unamended claims should not be presented with an amendment, (3) that the Certificate of Correction change in claim 16 from "symmetrical" to "asymmetrical" was made without underlining or bracketing, and (4) that new claims must be underlined in their entirety without bracketing. The Examiner also noted in particular that 37 C.F.R. § 1.173(c) requires a statement of the status of all claims and an explanation of support in the specification for all changes made to the claims, including new claims.

Applicant has represented in the foregoing amendment previously presented amendments to the specification and claims in a format that complies with the requirements of 37 C.F.R. § 1.173. All deletions and additions are shown using bracketing and underlining, and the unamended claims are not presented in the foregoing amendment. As requested, the Certificate of Correction change in claim 16 from "symmetrical" to "asymmetrical" is made with bracketing and underlining. All new claims are underlined in their entirety without bracketing.

As stated above, claims 1-56 are pending in the present application. These claims have been previously identified as being allowable over the references of record. Support can be found in the specification for all changes made to the claims, including new claims, as noted below.

Based on the foregoing amendment and remarks herein, Applicant respectfully request reconsideration and withdrawal of this objection.

***Support For Changes To Claims 14-17 And New Claim 56***

Claims 14-17 have been changed to depend from a new claim 56. Claim 16 has also been changed to include the Certificate of Correction change "symmetrical" to "asymmetrical". New claim 56 recites "said retainers are generally T-shaped retainers."

Support for these changes is found throughout the specification and drawings, and the Certificate of Correction. Support for new claim 56 can be found, for example, in claim 5, FIGs. 1-3, and the written description for FIGs. 1-3 (see item 22).

***Support For New Claims 19-55***

New claims 19, 26, 36, 45, and 49 are broadening independent claims. Independent claims 19, 26, 36, and 49 relate to radial bearings. Generally speaking, independent claims 19, 26, 36, and 49 have been broadened by eliminating the shaft element of independent claims 1, 4 and 13, and by reciting various features described in the specification for the bushing, foil, and/or underspring elements. Independent claim 45 relates to a radial bearing bushing as described in the specification. Support for new claims 19, 26, 36, 45, and 49 is found throughout the specification and drawings. For example, support for these claims is found in FIGs. 1-4 and the descriptions thereof.

New claims 20-25, 27-35, 37-44, 46-48, and 50-55 are dependent claims that further describe the claimed inventions of independent claims 19, 26, 36, 45, and 49. Support for these claims is also found throughout the specification and drawings. Claims 20 and 47 recite a cylindrical interior bore while claims 21 and 48 recite a non-cylindrical bore. As recited in the specification at column 2, lines 51-52, "the interior bore 20 of bushing 12 may or may not be cylindrical." Support for the hydrodynamic features of claims 22, 32, 41, and 52 and the hydrostatic features of claims 23, 33, 42, and 52 is found, for example, in the specification at column 4, lines 12-22, and in claims 10 and 12. Support for the cooling flow features recited in claims 24, 25, 34, 35, 43, 44, 46, 54, and 55 is found, for example, in FIG. 2 and the description thereof and in claims 17 and 18. Support for the retainer features recited in claims 27-30 and 37-40 is found, for example, in FIGs. 1-3 and the descriptions thereof and claims 5-8. Support for the underspring, foil, and bore features recited in claims

31, 50, and 51 is found, for example, in FIGs. 1-4 and the descriptions thereof and in claims 2, 3, and 9.

***Rejection Of Claims 1-56 Under 35 U.S.C. § 251***

In the Office Action, the Examiner rejected claims 1-56 under 35 U.S.C. § 251 as being based on a defective original reissue declaration. The Examiner noted in particular that the original reissue declaration filed on August 27, 2001, (1) contained a typographical error in the patent number, and (2) did not specifically identify at least one error being corrected.

Filed herewith is a new reissue declaration that correctly identifies the patent number and that specifically identifies at least one error being corrected. This reissue declaration, signed by the inventor, acknowledges that every error corrected in the present application arose without any deceptive intent on the part of the applicant. As such, claims 1-56 are no longer based on a defective original reissue declaration. Reconsideration and withdrawal of this rejection are respectfully requested.

***Conclusion***


All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the

outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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